

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MELVIN KEITH RICHARDSON,

Petitioner,

v.

JOSEPH PIAZZA, et al.,

Respondents.

CIVIL ACTION

No. 07-2065

MEMORANDUM/ORDER

Petitioner Melvin Keith Richardson has filed a notice of appeal from this court's order dismissing his petition for a writ of habeas corpus, and seeks leave to proceed with that appeal *in forma pauperis*. Pursuant to Rule 24(a)(1) of the Federal Rules of Appellate Procedure, petitioner must submit "an affidavit that: (A) shows in the detail prescribed by Form 4 of the Appendix of Forms the party's inability to pay or to give security for fees and costs; (B) claims an entitlement to redress; and (C) states the issues that the party intends to present on appeal." Fed. R. App. P. 24(a)(1).

Mr. Richardson's affidavit complies with the second of these requirements, but omits a statement of the issues to be presented on appeal. The affidavit also does not include all of the detail sought in Form 4 of the Appendix of Forms.

Accordingly, this 2nd day of March, 2010, it is hereby **ORDERED** that Mr. Richardson's Request to Proceed on Appeal *In Forma Pauperis* (docket no. 37) is **DENIED WITHOUT PREJUDICE**. Mr. Richardson may refile a new request that fully

complies with Rule 24(a)(1). Copies of that Rule and Form 4 are attached to this Order for Mr. Richardson's reference.

BY THE COURT:

/s/Louis H. Pollak
Pollak, J.